

Form 3015-1 - Chapter 13 Plan

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

CHAPTER 13 PLAN

In re: Paul Heyes Coe and Sharon Lee Rolenc

Dated: November 12, 2010

DEBTORS

Case No. 10-48138

In a joint case,
debtor means debtors in this plan.

1. DEBTOR'S PAYMENTS TO TRUSTEE —

- a. As of the date of this plan, the debtor has paid the trustee \$ _____.
- b. After the date of this plan, the debtor will pay the trustee \$ 290.00 per month for 29 months and \$ 667.00 per month for 31 months beginning in November, 2010 for a total of \$ 29,087.00. The minimum plan length is 36 or x 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
- c. The debtor will also pay the trustee _____.
- d. The debtor will pay the trustee a total of \$ 29,087.00 [line 1(a) + line 2(b) + line 1(c)].

2. PAYMENTS BY TRUSTEE — The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or \$ 2,908.70, [line 1(d) x .10].

3. ADEQUATE PROTECTION PAYMENTS [§1326(a)(1)(C)] — The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according tot the following schedule, beginning in month one (1).

Creditor	Monthly Payment	Number of Months	Total Payments
a. _____	\$ _____	\$ _____	\$ _____
b. _____	\$ _____	\$ _____	\$ _____
c. _____	\$ _____	\$ _____	\$ _____
TOTAL			\$ _____

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§365] – The debtor assumes the following executory contracts or unexpired leases. Cure provisions, if any, are set forth in ¶ 7.

Creditor	Description of Property
a. _____	_____
b. _____	_____

5. CLAIMS NOT IN DEFAULT – Payments on the following claims are current and the debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditor will retain liens, if any.

Creditor	Description of Claim
a. <u>Chase</u>	<u>Mortgage</u>
b. <u>Harris NA</u>	<u>2007 Toyota Prius car loan (paid off in April of 2013 – increase in plan payment</u>
c. <u>Affinity Plus Credit Union</u>	<u>2007 Kia Sorento car loan</u>
d. <u>Wells Fargo Education Financial Svcs</u>	<u>Student loans (\$27,549.00 monthly payment of \$247.00)</u>

6. HOME MORTGAGES IN DEFAULT [§1322(b)(5) and §1322(e)] — The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. All following entries are estimates. The trustee will pay the amounts actually allowed.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	\$ _____	_____	_____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	\$ _____
d. TOTAL					\$ _____

7. CLAIMS IN DEFAULT [§ 1322 (b)(3) and (5) and § 1322(e)] — The trustee will cure defaults on the following claims as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain their liens., if any. All following entries are estimates, except for interest rate.

Creditor	Amount of Default	Interest Rate	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. _____	\$ _____	----	\$ _____	_____	_____	\$ _____
b. _____	\$ _____	_____	\$ _____	_____	_____	\$ _____
c. TOTAL						\$ _____

8. **OTHER SECURED CLAIMS [§ 1325(a)(5)]** — The trustee will pay, on account of the following allowed secured claims, the amount set forth in the "Total Payments" column, below. The creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under non-bankruptcy law, or the date of the debtor's discharge. NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM. SUCH CREDITOR MAY FILE A SECURED CLAIM FOR LESS THAN THE AMOUNT LISTED BELOW AND THE TRUSTEE SHALL THEN PAY THE LESSER AMOUNT. IF NO SECURED CLAIM IS FILED, THEN THE CLAIM SHALL NOT BE PAID AS SECURED.

Creditor	Claim Amount	Secured Claim	% Int Rate	Begin Month #	(Monthly Payment)	X (No. pmts)	= Payments on account + of claim	(Adequate protection from ¶3	TOTAL
a. Best Buy/ HSBC	\$ 544.00	\$ 544.00	5.25	1	46.63	12	\$559.56	\$ 0.00	\$559.56
b. _____	\$ _____	\$ _____	_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
c. _____	\$ _____	\$ _____	_____	_____	_____	_____	\$ _____	\$ _____	\$ _____
d. TOTAL									\$ 559.56

9. **PRIORITY CLAIMS** — The trustee will pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates. The trustee will pay the amounts actually allowed.

Creditor	Estimated Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. Attorney Fees	\$ 1,500.00	\$ 200/100	1/8	8/1	\$ 1,500.00
b. Domestic support	\$ _____	\$ _____	_____	_____	\$ _____
c. IRS	\$ _____	\$ _____	_____	_____	\$ _____
d. MN Dept of Revenue	\$ _____	\$ _____	_____	_____	\$ _____
e. _____	\$ _____	\$ _____	_____	_____	\$ _____
f. TOTAL					\$ 1,500.00

10. **SEPARATE CLASS OF UNSECURED CREDITORS** — The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ _____ [line 1(d) minus lines 2, 3(e), 5(d), 6(d), 7(d) and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 10 are \$ _____.
b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 8 and ¶ 9) are \$ _____.
c. Total estimated unsecured claims are \$ _____ [line 10(a) + line 10(b)].

11. **TIMELY FILED UNSECURED CREDITORS** — The trustee will pay holders of non-priority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$ 24,118.74 [line 1(d) minus lines 2, 6(d), 7(d), 8(d), 9(f) and 10(c)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in ¶ 8 are \$ _____.
b. The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 8 and ¶ 10) are \$ _____.
c. Total estimated unsecured claims are \$ 107,073.00 [line 11(a) + line 11(b)].

12. **TARDILY-FILED UNSECURED CREDITORS** — Trustee shall pay tardily filed unsecured claims, but only if those claims are filed by the State, Federal or Local Taxing authorities and only for priority tax claims.

13. **OTHER PROVISIONS** — The trustee may distribute additional sums not expressly provided for herein at the trustee's discretion. In the event of that a secured creditor is granted stay relief and or the surrender, repossession or return of the collateral to the creditor for any reason, the balance of the claim, if any, will be paid as an unsecured claim in accordance with non-bankruptcy law, dischargeable upon completion of this Chapter 13 plan.

14. SUMMARY OF PAYMENTS —

Trustee's Fee [Line 2]	\$ 2,908.70
Home Mortgage Defaults [Line 6(d)]	\$ _____
Claims in Default [Line 7(d)]	\$ _____
Other Secured Claims [Line 8(d)]	\$ 559.56
Priority Claims [Line 9 (f)]	\$ 1,500.00
Separate Classes [Line 10]	\$ _____
Unsecured Creditors [Line 11]	\$ 24,118.74
TOTAL [must equal Line 1(d)]	\$ 29,087.00

Insert Name, Address, Telephone and License Number of Debtor's Attorney:

Signed /e/ Paul Heyes Coe
DEBTOR

Signed /e/ Sharon Lee Rolenc
DEBTOR (if joint case)

Name, Address, Telephone and License Number of Debtor's Attorney:

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